

**PUBLIC WORKS CONTRACTORS LICENSING
BOARD MEETING**

**MONDAY, JUNE 20, 2005
9:00 A.M.**

Members present: David Bennion, Bob Beer, Terry McEntee, Mike Wood, Dick Anderson

Members absent: Stephanie Crumrine

Others present: Dave Munroe, Steve Keys, Jack Rayne, Kay Christensen, Shelby Ugarriza, Maria Barrett

The meeting was called to order by Chairman David Bennion at 9:05 a.m.

Consent Agenda

Motion was made by Dick Anderson and seconded by Mike Wood to approve the May 2, 2005, board meeting minutes with the correction stating Dick Anderson made the motion to approve the October 4, 2004, meeting minutes.

Information Agenda

Bureau Reports – The statistical data was given to the board members reflecting upgrades, downgrades, type and category additions and originals approved.

New Bureau Chief/Bureau Organization – Mr. Steve Keys was introduced to the board, and an organizational chart was given to each board member.

Action Agenda

Appeal of upgrade denial for System Tech, Inc. – Mr. Jared Affleck, Controller, explained the necessity of upgrading to an AA classification. The company qualifies financially; however, they do not have the prior work history showing projects over \$3,000,000 within the last three years. Terry McEntee made a motion, seconded by Mike Wood, to approve the upgrade with a submission of bond information stating the company may bond jobs up to \$3,000,000 and all other conditions and requirements of licensure are met. All ayes, motion approved.

It was decided in reviewing dollar amounts of work history for upgrades that in order to upgrade, project dollars on submitted work history must be within 20 percent of their current level.

Discussion Items

Criteria for Public Works Licensing – Jack explained issues with qualifying individuals: an individual's experience is used in the qualification of a license, but wonders how continued qualification should be considered when the individual leaves the employ of this company. David Bennion suggests this is reviewed at the time more criteria is decided.

Discussion of new license fees – Marsi to prepare proposed fees with financial analysis for July 11th meeting.

Discussion of database on licensed public works contractors –

Board member review of current statute – It was determined any issue with the verbiage “affixed and permanent” is self-explanatory. Any item that will be bolted, screwed, nailed or in any way installed shall be deemed public works contract work.

Steve Keys advised the board there are several issues with the indemnification process. Kay Christensen has drafted proposed language for the indemnification versus guarantee.

The proposed license fees will be drafted for review at the next meeting.

Bob Beer made a motion and was seconded to amend Rule 202 to change “financial guidelines” to “financial requirements” and eliminate, entirely, the indemnification provision. There were two ayes, one nay, and one member who requested explanation of the motion whereupon Ms. Christensen explained the motion.

Mike Wood made a motion to reconsider the last motion, seconded by Bob Beer; all ayes, motion passes.

The same motion stands and was passed three ayes to one nay.

There were discussions regarding time extension and the preparation of financial statements; requirements of reviewed statements for Class-A licenses; and receiving personal references in lieu of contractor references.

Bob Beer revisited for upgrades in licensure, it is required that three projects are submitted for work history, within the last three years, be within 20 percent of the existing level in order to upgrade to the next level and all other licensing requirements be met. Dave Bennion suggested this only applies to those applicants whose work is typically only public works rather than combined public works and private. Kay will draft the proposed rule.

Sales Tax Commission – There is a meeting at 1:30, June 20, 2005, with the State Tax Commission to discuss the database for contractor information which is to be collected and by what means this information will be transferred to the division.

Hiring process/timeline for public works contractor licensing program manager – Dave Munroe informed the board there were 11 applicants, 9 of which were accepted for interview and will be scheduled within the next two weeks. Terry McEntee and Dick Anderson volunteered to help with the interviews as needed.

Vacant Board Seats – Ms. Barrett informed the board there are over 400 board applicants awaiting appointment at this time.

Motion to adjourn by Mike Wood, seconded by Dick Anderson; all ayes, motion passes.

Meeting adjourned at 11:55 a.m.

Dave Munroe, Administrator